

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

BMG MUSIC, a New York general partnership; CAPITOL RECORDS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation		PLAINTIFFS
v.		Case No. 3:05cv388 HTW-JCS
VERNON WITCHER		DEFENDANT

ORDER OF DISMISSAL

The Court having considered the Plaintiffs' Notice of Dismissal Without Prejudice Pursuant to Federal Rule of Civil Procedure 41(a)(1), and having considered the record in this case, and having found that Defendant has not filed any responsive pleading or motion in this case, hereby orders that this case should be and hereby is dismissed without prejudice.

SO ORDERED this the 25th day of January, 2006.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

PREPARED BY:

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